

**THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

In re:

Chapter 13

NICHOLAUS SWEATT,

Case No. 24-10787-cjf

Debtor.

OBJECTION TO DEBTOR'S EXEMPTIONS

Yvonne K. Edmunds ("Creditor"), through and by her attorneys, Krekeler Law, S.C., hereby objects to the following exemptions and exceptions claimed by Nicholas Sweatt ("Debtor"):

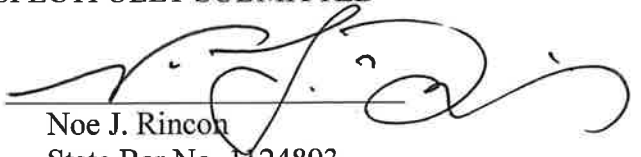
1. The depository account exemption of \$1,710 of value in checking and savings accounts with Summit Credit Union, claimed under Wis. Stat. § 815.18(3)(k).
 - a. A debtor may exempt no more than their one-half interest in marital property when such property is "fungible and divisible by nature." *See In re Page*, 171 B.R. 349 (Bankr. W.D. Wis. 1994); *see also In re Lue Xiong*, 2006 Bankr. Lexis 717 (Bankr. E.D. Wis. May 3, 2006).
 - b. The Debtor cannot claim more than his one-half interest in the divisible accounts.
2. The exception of the \$2,617 of value in the Debtor's 529 Plan for his daughter from property of the estate under 11 U.S.C. 541(b)(5)(C), to the extent that the value therein does not comply with the provisions of § 541(b)(5)(C).

The Creditor, through counsel, requests that the Court set a hearing on this Objection.

Dated this 19th day of June 2024.

RESPECTFULLY SUBMITTED

By:

A handwritten signature in black ink, appearing to read 'Noe J. Rincon', written over a horizontal line.

Noe J. Rincon

State Bar No. 1124893

Attorney for the Creditor,

Yvonne K. Edmunds

KREKELER LAW, S.C.

26 Schroeder Court, Suite 300

Madison, WI 53711

(608) 258-8555

(608) 663-0287 (fax)

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In re:

NICHOLAUS SWEATT

Chapter 13

Case No. 24-10787-cjf

Debtor.

AFFIDAVIT OF MAILING

The undersigned, being first duly sworn on oath, deposes and says that on June 19, 2024, the Objection to Debtor's Exemptions was electronically filed with the Clerk of Court and served upon the United States Trustee, the Debtor's attorney, and any other person designated by the Court using the ECF system.

The undersigned, being first duly sworn on oath, deposes and says that on June 19, 2024, the undersigned mailed, properly enclosed in a postpaid envelope, a copy of the Objection to Debtor's Exemptions to all on the attached matrix.

By: Genesis McCarthy
Genesis McCarthy

Subscribed and sworn to before me
on June 19, 2024.

Jan L. Ciha

Jan L. Ciha

Notary Public, State of Wisconsin

My commission expires: 06/19/2027



Label Matrix for local noticing
0758-3
Case 3-24-10787-cjf
Western District of Wisconsin www.wiwb.uscour
Madison
Wed Jun 19 12:55:53 CDT 2024

Citibank
Citicorp Cr Svs/Centralized Bankruptcy
Po Box 790040
St Louis, MO 63179-0040

IRS - Centralized Insolvency Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

Wade M. Pittman
Pittman & Pittman Law Offices, LLC
702 N Blackhawk Ave, STE 101
Madison, WI 53705-3357

Securities and Exchange Commission
175 West Jackson Boulevard
Suite 900
Chicago, IL 60604-2908

Kimberly Sweatt
5102 Tonyawatha Trail
Monona, WI 53716-2978

Wisconsin Department of Revenue
Special Procedures Unit
P.O. Box 8901
Madison, WI 53708-8901

Bank of America
Attn: Bankruptcy
4909 Savarese Circle
Tampa, FL 33634-2413

Paul & Yvonne Edmunds
7691 Fish Lake Road
Sauk City, WI 53583-9534

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101-7346

Kimberly P. Sebranek
Laffey, Sebranek, Auby & Ristau, S.C.
16 N Carroll St
Ste 500
Madison, WI 53703-2773

Kristin J. Sederholm
Krekeler Law, S.C.
26 Schroeder Court, Suite 300
Madison, WI 53711-2503

Nicholaus Sweatt
5102 Tonyawatha Trail
Monona, WI 53716-2978

Yvonne Edmunds
7691 Fish Lake Road
Sauk City, WI 53583-9534

Capital One/Menards
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

(p)MARK HARRING
ATTN STANDING TRUSTEE
122 WEST WASHINGTON AVENUE SUITE 500
MADISON WI 53703-2758

J. David Krekeler
Krekeler Law, S.C.
26 Schroeder Court, Ste 300
Madison, WI 53711-2503

Secretary of Treasury
Treasury Department
1500 Pennsylvania Avenue N.W.
Washington, DC 20220-0001

Summit Credit Union
Attn: Bankruptcy
1709 Landmark Dr
Cottage Grove, WI 53527-8957

U.S. Trustee's Office
780 Regent Street, Suite 304
Madison, WI 53715-2635

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Mark Harring
122 West Washington Ave.
Suite 500
Madison, WI 53703-2578

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Summit Credit Union

End of Label Matrix	
Mailable recipients	19
Bypassed recipients	1
Total	20